G. R. S. IX-5]

*Previous references.*
Cs. 67-00-4
Pun. 18-11-63-4
J.J. 15-93-94

*Later references.*

Preserve

1912. Preserve (Prisons)

File No. 8-15

Serial Nos. 13, 14, 24

# GENERAL AND REVENUE SECRETARIAT.

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*Serial Nos.* 13, 14, 26–28

Part B for Nov-16.

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SUBJECT.

Cases for orders of Govt under Section 466 of the Code of Criminal Procedure Code.

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28) To The Sr. Surgeon. D.M. Mysore. Reg. Ch. C. } G 1396-8 dy 26/10/16.

Directs that Malla be committed to the Lunatic Asylum. Bg.

29/11/16.

W D 68—GPB—50,000—24-7-16

G. R. S. 11] 1915.

GENERAL AND REVENUE SECRETARIAT.

( Prisons )

NOTES.

File No. 8-15

FILE HEADING.

Cases for orders of Govt under sec 466 of the Code of Criminal Procedure.

From

The Dist. Magr

No. 696 Dated 31.1.16 Received 2.2.16

Diary No. 215R Enclos. 1 file Spare Copies. Serial No. 13

BRIEF ABSTRACT OF LETTER.

Submits the records in P C. 33 of 1911-12 on the file of the Assistant Magistrate of Nagamangala and requests for reasons given that the accused Malla may be recommitted to the Lunatic Asylum.

NOTES AND ORDERS.

Last III

1) Submitted with a draft sanctioning

91XL 12/16.

2) Please put up reference to show the officers who are empowered to examine ~~the~~ under S. 464 Cri. P. code

12/2

12/1

NOTES—First Sheet.

GPB—20,000—8-8-14

G. R. S. 121

General and Revenue Secretariat. | Pros File No. 8 of 1915-16

Serial No. K Cls 67-00-4

3) Notification no 12673/J1043 dy 31-1-1902 authorising Asst Surgeons in charge of Dy. & not being Civil Surgeons to examine persons & notification no 16861/J.F. 15-93 dy 4th 1894 ~~as~~ authorising a medical officer in charge of the Lunatic Asylum not below the rank of an Asst Surgeon are put up. No other notifications are traceable.

S 12/2/16 4) As the medical officer who examin the accused is only a Sub-Assistant Surgeon and is not one of those authorised to examine the proceedings do not appear valid. Further the Sub-Assistant Surgeon does not positively ~~other~~ state that the accused is insane. The proceedings must be in accordance with the provisions of the Crim. P. Code. The papers may be returned for adopting the procedure prescribed.

5) Draft put up accordingly

S 14.2.16 NK

6) Draft approved

14/2

7) I have the ~~Hon~~ Hon'ble Sec. Sec) not spoken to Govt Sec. 15/2/16

Sec A 21/2

8) Issued

15/2/16

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat. | Pri. File No. 8 of 1915.

Serial No.

14 To The D.C. Kolar

No. J 3336 19-2-1916

Returns the records in crimi case no 35-11/52-15 on the file of the Amildar of Nagamangala and requests that the same may be retransmitted when the prescribed Procedure is follo

9) Submitted. Though as many as five reminders have been sent to the District Magistrate, no reply has been received. Draft D.O. reminding him again in the matter is put up for favor of attention.

MSN 23.9.16

10) Done

Sus A 23.9

Reminder issued. No. J 12000 of 23.9.16

26 From the District Magistrate, Bangalore.

D.O. No. A.C. 15/Misc. of 26.9.16

11) Submitted for perusal. The receipt of the completed records may be awaited

Sus A 29.9

MSN 29.9.16

G. R. S. 12]

General and Revenue Secretariat. | Prisons File No. 8 of 1916-16

Serial No.

27 From The District Magistrate, Mysore Dt:

Respectfully, as called for in Serial no. 14 the records in C. C. No. 35 of 1911-12 on the file of the Amildar Magistrate of Nagamangala, together with a duplicate of the Certificate granted by the District Medical Officer, Mysore District, regarding the mental condition of the accused Malla & requests that the said accused may be readmitted to the Lunatic Asylum.

2) The defect noticed in the proceedings viz, the examination of the accused Malla by a Medical Officer not authorized by Govt. under Section 464, Criminal Procedure Code, to examine persons of unsound mind, has now been remedied. A Medical certificate* by a competent Medical Officer has been furnished as required.

Draft ordering the recommitment of the lunatic is submitted for sanction & other orders.

13.10.16 3) May be approved.

18/10

Extraordinary Member

G. R. S. 12]

General and Revenue Secretariat.

Pris File No. 8 of 1915.

Serial No.

Draft approved by the Extra-ordinary Member -

19.10.16. Kllr

14/20/10

14) Issue 21/20/10

To The Senior Surgeon

The D.S. Dispose

The Registrar Sch: Court

No 9 1396-8 26-10-1916

Directs that Kalla be committed to the Lunatic Asylum Bangalore

GPB—50,000—80-7-15

19 16 1/2 III

From The District Magistrate
Mysore District

To The Secretary Person
to the Govt of Mysore
General Dept

Dated

Despatched

Received 31.1.16.

General No. 1.3.

No.

Enclosure No. 1 file.

re Admission of one Malla
into the Lunatic Asylum.

No. 496
L. dis

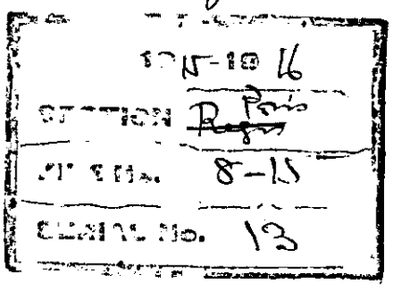
Office of the District Magistrate, Mysore District.

Dated, Mysore, 31st January 1916

From

A.Subramanya Iyer, Esquire., B.A.,
District Magistrate,
Mysore District.

Form J. 215




To

D.M.Narasinga Reo, Esquire., B.A.,B.L.,
Secretary to the Government of His
Highness the Maharaja of Mysore,
General Department,
BANGALORE

Sir,

Adverting to Government Order No.J.1861-3/Pris.15-14 dated 20th December 1911 ordering the admission of one Malla accused in Criminal Case No 35 of 1911-12 on the file of the Amildar Magistrate of Nagamangala Taluk, into the Lunatic Asylum, I have the honor to state that the Senior Surgeon in charge of the Lunatic Asylum - in his docket No 25 of 8th July 1915 (Flag A) to the Magistrate of Nagamangala enclosed the certificate given to the lunatic by the visitors and requested for the removal of the prisoner.

The Amildar before whom the accused was produced and the Lock-up Officer of Nagamangala are of opinion that he is still insane. The Local Sub Assistant Surgeon has stated that he could not make out any thing of the case.

In these circumstances I request that you will obtain the sanction of Government to re-admit him to the Asylum.

The entire records received with Nagamangala Taluk Magistrate's report No.213 dated 28th December 15 are herein enclosed for reference and kind return when done with.

I have the honor to be,
Sir,
Your most obedient Servant,

DISTRICT MAGISTRATE MYSORE

G. R. S. 26]

File No. 8-15
Serial No. 14

*Diary No. of letter replied to* ____

No. J 3366

General and Revenue Secretariat

( )

*the* *191* .

Date of issue 19th February.

Signed by Lr. G. Sreenivasa Iyer

To

The D. M. Mysore

Sir,

I am directed to return herewith the records in prim. case no. 35-11-52-15 on the file of the Amildar Magistrate of Nagamangala received with your letter no 496 of 31st Jan 1916 and to observe that the Sub-Asst Surgeon of Nagamangala ~~is not~~ does not belong to the class of medical officers direct by Govt, under Sec. 464 Cr. Pro. Code, to examine persons of unsound mind, and that the proceedings of the Magist

over.

(Note for Mysore dt 31/1/16 no 1273 J 1043)

SUBJECT.

based on the examination of the accused Malla by a person not authorised by law are irregular.

2. I am therefore to request that the records may be retransmitted for the orders of Govt. after the prescribed procedure is followed.

I have &c

Ss, 14/2

for Asst Secy.

15/2/16

14/2/16

*List of enclosures*

*Copied by*

*Examined by*

GPB—25,000—4-3-13

J 736

A.C.15
D.O.No. 502 of 16-1
Mull

Pris 8-15-26

Office of the District Magistrate,

Mysore District.

Dated, Mysore, 28th September 1916.

Dear Sir,

In reply to your D.O. No.J.1200/Pris.8-15 dated 23rd September 1916 in the matter of the re-admission into the Lunatic Asylum of one Malla accused in Criminal Case No.35 of 1911-12 on the file of the Amildar Magistrate of Nagamangala, I have to state that the Amildar Magistrate of Nagamangala who was asked to send the prisoner to the District Medical Officer for examination and the grant of Certificate required under section 468 of the Criminal Procedure Code, reported that the certificate received from that Officer was by mistake sent back to the District Medical Officer instead of to this office.

The District Medical Officer who is also the Superintendent of the Mysore Jail states in his No.182/14 date the 18th September 1916 that the file of papers containing the said Certificate was forwarded to this office on 14th June 1916.

On examining the registers of this office, it does not appear that the said certificate was received here. I am now asking the District Medical Officer to furnish a duplicate of the Certificate and the needful will be done to have the record completed and sent up for the orders of Government early.

Yours Sincerely,

To

G. Sreenivasa Iyer, Esquire., B.A.M.L.,
Assistant Secretary to Government,
Bangalore.

PB—50,000—17-9-15

GEN. & REV. SECTT. 11 OCT 1916

19

From

THE DISTRICT MAGISTRATE

MYSORE DISTRICT

To

THE SECRETARY TO GOVERNMENT
GENERAL DEPARTMENT
BANGALORE

Dated 4th October 916

Despatched 7

Received

Ref. to G. C

General No. 15 of 15-16

No. pull

Enclosure No. 1 and 1 Ka

---

soliciting orders for the readmission of Malla accused in C.C No. 35 of 11-12 / 52 of 15-16 on the file of the Amildar Magistrate of Nagamangala into the Lunatic Asylum.

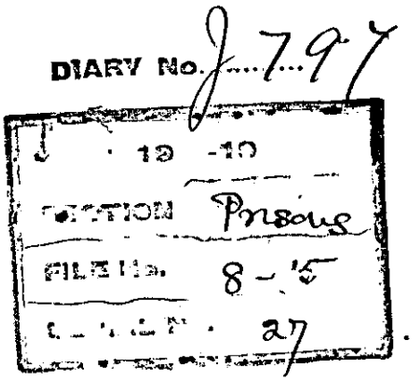
A.C No. 15 June

Office of the District Magistrate, Mysore District

Dated, Mysore, 4th October 1916

From

K.Matthan, Esquire., B.A.,
District Magistrate,
Mysore District.




To

D.M.Narasinga Rao, Esquire., B.A., B.L.,
Secretary to the Government of His Highness
the Maharaja of Mysore, General Department,
B A N G A L O R E.

Sir,

I have the honor to resubmit the record of C C.No. 35 of 11-12 / 52 of 15-16 on the file of the Amildar Magistrate of Nagamangala Taluk returned with your letter No 3366 Pris 8-15-4 dated 19th February 1916, together with a duplicate of the certificate granted by the District Medical Officer, Mysore District, regarding the mental condition of the accused - (Malla) and to request that orders of Government may be obtained for the readmission of the said accused into the Government Lunatic Asylum at Bangalore.

I have the honor to be,
Sir,
Your most obedient Servant,
Matthan
District Magistrate
Mysore District.

svs

Commitment of accused Mal
to the Lunatic Asylum, Banc

G.R.S. 28]

Prisons File No. 8-15
Serial No. 28

*Diary No. of letter replied to* 9797

*Proceedings of the Government of His Highness the Maharaja of Mysore*

GENERAL AND REVENUE SECRETARIAT.
( )

READ—

*the* Flag 191 .

Letter no. 496 dated 31st Jan 1916 from the District Magistrate, Mysore, forwarding the records in C.C. no. 35-11/52-15 on the file of the Asst

Date of issue 26/8/16

Signed by M V G. Srinivasa Iyer

ORDER THEREON.—No.

and Second Class Magistrate of Nagamangala, stating that the accused Malla, who was commi to the Lunatic Asylum under the authority of Government order

Flag P

*over.*

SUBJECT.

J. 1861-3/Pris 18-11 dated 20 December 1911, on being certified by the Official Visitors of the Lunatic Asylum to be capable of making his defence, was produced before the said Magistrate who is of opinion that the accused is still insane & requesting Sanction to his re admission to the Lunatic Asylum.

Flag J.

2. Correspondence ending with Letter A.C. No. 15/Misc of 1915-16 from the same Officer, resubmitting the records in the above case, together with a duplicate of the certificate granted by the District Medical Officer, Mysore District, regarding the Mental condition of the accused Malla.

Flag W

Paper with dishonour

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

Order No. J. 1396-8

As it appears from the records that the accused Malla is still of unsound mind & incapable of making his defence, Government are pleased to direct, under the provisions of Section 466 (2) of the Code of Criminal Proc. 1904, that the said Malla be committed to the Lunatic Asylum, Bangalore.

19.10.16.

ES 18/10

Jr. General Secretary

To

The Senior Surgeon with the Govt. of Mysore.

District Magistrate, Mysore, returning the records (Seven)

Registrar, Chief Court.

MSG
13-10-16